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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Jeffrey S. CROSS et al.**

Group Art Unit: **2814**

Serial No.: **10/716,878**

Examiner: **Hoai V. Pham**

Filed: **November 20, 2003**

Confirmation No.: **5639**

For: **SEMICONDUCTOR DEVICE AND ITS MANUFACTURE METHOD,  
AND MEASUREMENT FIXTURE FOR THE SEMICONDUCTOR  
DEVICE**

Attorney Docket Number: **032122**  
Customer Number: **38834**

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Date: July 12, 2005

Sir:

In response to the requirement for an election of species dated June 13, 2005, applicants provisionally elect to prosecute Species 2 (embodiment 2 of figures 11-16) without traverse. It is believed that claims 1-4, 8 and 9 read on the elected species. The applicant reserves the right to file divisional applications on the non-elected claims.

The applicant respectfully requests an early examination on the elected claims and favorable action on the merits. If the Examiner has any questions with this Response, please feel free to call the undersigned at the indicated telephone number.

Response to Election of Species Requirement

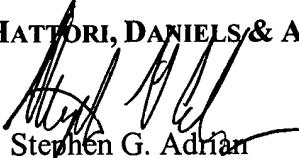
Serial No. 10/716,878

Attorney Docket No. 032122

If this paper is not timely filed, Applicant(s) respectfully petition(s) for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



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